

CHAPTER 14

BUSINESS PARK ZONE (BP)

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11-14-010 Purpose.

The purpose of this zone is to provide areas primarily for planned general office and business park developments and related services which will be compatible with, and serve as a transition to, nearby residential areas and will promote a quiet, clean environment. In certain unique locations, residential planned unit developments may also be appropriate to provide this transition. Development in this zone should emphasize a high level of architectural and landscape excellence. These zone districts will generally be established along high volume arterial streets in order to buffer the impacts of these streets from less intensive land uses. The intent is to create an attractive environment that will compliment, and serve as a transition to, surrounding land uses.

11-14-020 Permitted Uses.

The following are permitted uses in the BP Zone after a conceptual development plan has been approved as provided in this Chapter. No other permitted uses are allowed, except as provided by Section 11-4-105(6):

- (1) Agriculture;
- (2) Business and professional offices;
- (3) Commercial testing laboratories and services;
- (4) Data processing services;
- (5) Day care/preschool;
- (6) Funeral home;
- (7) Printing/publishing;
- (8) Public park;
- (9) Public or quasi-public administrative offices (excluding temporary or portable buildings);
- (10) Public utility lines and rights-of-way;
- (11) Research services;
- (12) Residential facility for the elderly;
- (13) Residential facility for the handicapped;
- (14) Seasonal fruit/produce vendor stands;
- (15) Signs complying with provisions of the Sign Ordinance;
- (16) Uses customarily accessory to a listed permitted use.

11-14-030 Conditional Uses.

The following are conditional uses in the BP zone. No other conditional uses are allowed, except as provided by Section 11-4-105(6):

- (1) Any development which includes multiple buildings or is proposed on a site which is over one (1) acre in size;
- (2) Athletic or tennis club;
- (3) Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.);
- (4) Financial institutions;
- (5) Light manufacturing uses (fabrication, assembly, treatment, or packaging operations conducted in a totally enclosed building using previously prepared materials);
- (6) Outside storage;
- (7) Public and quasi-public uses, other than administrative offices, developed on an undeveloped site (excluding those not specifically listed as a permitted or conditional use) and material additions or modifications on a developed site;
- (8) Public utility substations, wireless transmission towers except as specified in Section 11-28-190, generating plants, pumping stations, and buildings;
- (9) Restaurants (traditional sit-down only);
- (10) Storage/warehousing, as an accessory use, as necessary to maintain a principal use;
- (11) Temporary uses;
- (12) Uses customarily accessory to a listed conditional use.

11-14-040 Conceptual Plan and Site Plan Review.

(1) When a development will include multiple buildings or is proposed on a site which is over one (1) acre in size, an overall conceptual development plan, encompassing the entire site, shall be submitted to the Planning Commission for conditional use and site development review. The intent of this requirement is to commit the developer to a general plan within which individual businesses can be placed. Once approved, any material change to the conceptual plan shall require the approval of the Planning Commission. A material change shall be interpreted as any change which substantially alters the original plan and/or has the potential of causing a significant impact beyond the site.

(2) The conceptual development plan shall include the following specific information and shall also comply with all other applicable standards contained in Chapter 7 of this Title. The plan shall:

- (a) Indicate the location of existing streets and, if applicable, the proposed street layout for the entire development;
- (b) Identify the general location of building pads and the height of all proposed buildings and structures;
- (c) Identify the general location and extent of existing and proposed parking areas;
- (d) Include a conceptual landscape plan showing the general location, density and size of trees, shrubs and ground cover;

- (e) Identify proposed phasing of the project (if any);
- (f) Illustrate the architectural design of buildings including type of materials, colors, and any proposed signs;
- (g) Illustrate the relationship of the proposed development to surrounding uses.

11-14-050 Minimum Lot and Setback Standards.

(1) **Setback from Streets:** The minimum setback from public or private streets shall be twenty (20) feet for buildings or structures twenty (20) feet or less in height. Buildings or structures over twenty (20) feet in height shall be setback an additional ten (10) feet (thirty (30) feet total). Parking lots shall not be permitted within the minimum required street setback(s).

(2) **Commercial side and rear setbacks:** The minimum side and rear setbacks from property lines shall be twenty (20) feet for buildings and structures twenty (20) feet or less in height. Buildings or structures over twenty (20) feet in height shall be setback an additional ten (10) feet (thirty (30) feet total). If the area of the side or rear setback is used for parking or as a service area, a landscaped strip, not less than ten (10) feet in width shall be maintained along the property lines.

(3) **Residential side and rear setbacks:**

- (a) The minimum side yard setback from non-residential zone boundaries for a new residence in a BP zone shall be twenty (20) feet. A mix of evergreen and deciduous trees and shrubs shall be planted in such yard area to help mitigate potential impacts from adjacent non-residential uses;
- (b) The minimum rear setback from non-residential zone boundaries shall be forty (40) feet. A landscaped strip, not less than twenty (20) feet in width shall be maintained along the rear property line to help mitigate potential impacts from adjacent non-residential uses;
- (c) Side and rear yard setbacks from boundaries of zones which are exclusively residential shall be the same as the adjacent residential zone.

(4) **Minimum lot size:**

- (a) The minimum lot size for a non-residential use or development in the BP Zone shall be one half (½) acre.
- (b) The minimum development acreage for a residential planned unit development or condominium shall be not less than five (5) acres. Lot size, dimensions, and/or arrangement of buildings shall be determined by the Planning Commission after review of the conceptual development plan. Gross density shall not exceed eight (8) dwelling units per acre.

(5) **Lot Width:** The minimum lot width in a BP zone, except in a residential planned unit development or condominium, shall be one hundred (100) feet. For individual lots with a single use, one hundred (100) feet of frontage shall be provided on a fully improved public street.

(6) Maximum lot coverage: The maximum percentage of coverage for all buildings and structures in a BP zone shall be fifty percent (50%).

(7) Minimum district size: A BP zone district shall contain not less than five (5) acres.

11-14-055 Accessory Buildings and Structures.

(1) Accessory buildings shall be located to the rear of the main building, shall not encroach on any recorded easement, shall not cause the maximum lot coverage ratio to exceed the standards set forth herein, shall, without exception, be subordinate in height and area to the main building, and shall be reviewed as a conditional use.

(2) Accessory building setbacks:

- (a) Setback from rear and side property lines. No setback is required except as specified below;
- (b) Where office/commercial development in a BP zone share a common property line with a residential zone or a residential use within the BP zone, the minimum setback for the accessory building abutting the residential zone shall be the same as that required for such residential zone.
- (c) The placement of an accessory building shall not interfere with site plan objectives such as traffic circulation, open spaces, landscaping, etc.
- (d) On double-frontage lots, the setback from the rear lot line for accessory buildings shall meet the setback requirement for main buildings.
- (e) Architecturally compatible accessory buildings as approved by the Planning Commission, may be located in the side yard of a lot if all front, side, and rear setbacks are provided as specified herein.

11-14-060 Height Standards.

Non-residential buildings or structures in a BP Zone shall not exceed forty-five (45) feet in height and three (3) stories, except accessory buildings, which shall not exceed 15 feet in height unless approved otherwise as a conditional use. Residential main buildings and accessory buildings shall not exceed thirty (30) feet in height.

11-14-070 Design Standards.

(1) All areas of a developed site not occupied by buildings, required parking, driveways, sidewalks, or service areas, shall be appropriately landscaped with lawn, trees, shrubs and other landscaping materials in accordance with an approved landscaping plan. A minimum of fifteen percent (15%) of the gross area of a commercial site and forty percent (40%) of a residential site shall be landscaped. Gross area is interpreted as the total site area remaining after any required street dedication.

(2) Parking lots shall be provided with landscaping around the periphery and in islands and bays in the interior of the lot. If parking lots are oriented parallel to the street, a

landscaped berm, at least three (3) feet in height, shall be provided between the parking lot and sidewalk in order to help screen vehicles from view.

(3) Street trees shall be planted along the street frontage(s) of all sites and shall be spaced at not more than thirty (30) feet on center. The minimum caliper size for street trees shall be two (2) inches.

(4) In landscape buffers adjacent to residential zones and between residential and non-residential uses within the zone, a mix of evergreen and deciduous trees shall be planted at a ratio of not less than one (1) tree for each three hundred (300) square feet of landscape area. For conditional uses, this requirement may be increased if, in the opinion of the Planning Commission, additional screening or buffering is necessary on a specific site.

(5) All uses located in the zone shall be conducted entirely within a fully enclosed building. There shall be no outside storage of materials or equipment, other than motor vehicles licensed for street use, except as specifically approved by the Planning Commission in conjunction with a conditional use application.

(6) Trash storage and dumpsters shall be located in an area convenient for pick-up and shall be screened from public view by a six (6) foot masonry wall.

(7) A masonry or architectural concrete wall or alternative visual barrier as approved by the Planning Commission, at least six (6) feet in height, shall be erected along all development boundaries adjoining a residential zone or a residential use within the BP zone. The required wall shall be constructed prior to, or concurrently with, construction of the first building on the site.

(8) All utility transmission lines shall be placed underground. Transformers, meters and similar apparatus shall be at or below ground level and shall be screened from public view by a wall or fence, landscaping, earth berming, or special architectural treatment acceptable to the Planning Commission.

(9) All uses shall be free from objectionable or excessive odor, dust, smoke, noise, radiation or vibration.

Repealed as Residential-Suburban R-S, 4/1/92, Ord. 92-08

Establish Business Park Zone BP, 5/18/94, Ord. 94-22

Establish Business/Residential Zone BR, 10/19/94, Ord. 94-42

11-13-103(10) Amended, 4/2/97, Ord. 97-17

Recodified from Chapter 13 to Chapter 14, 4/21/99, Ord. 99-19

Business/Residential Zone BR Recodified from Chapter 14 to Chapter 15, 4/21/99, Ord. 99-19

Enactment of Section 11-14-055 and amendment of 11-14-060 - 12/14/05, Ord. 2005-69

Amended, 08/15/06, Ord. 2006-55

Amended 03/04/14, Ord. 2014-07

Amended 03/19/2014, Ord. 2014-10